

**Appl. No.** : **10/712,388**  
**Filed** : **November 12, 2003**

### **REMARKS**

In response to the Office Action mailed on February 15, 2007, Applicants respectfully request reconsideration of the application. Claims 1-19 are pending. Applicant respectfully disagrees with the propriety of the Examiner's rejections and the Examiner's statements regarding the teachings of the cited art. Applicant has addressed the incorrectness of the Examiner's statements previously and that analysis is incorporated by reference here. Applicant has amended Claims 1, 7 and 13. Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the amendments and following remarks and pass these Claims to allowance.

### **COMMENTS**

The Examiner rejected the Claims as obvious in view of several references. The primary references are Trummer, Meritt and Kelly. Neither of these references or any other the other references of record address removably mounting a hinged entertainment device to at least one car seat. There is no teaching of such a function. Instead, Trummer addresses a flat panel computer 502, while Meritt addresses a video game players or TVs used with VCRs, whereas Kelly does not address this issue as it is a design patent.

Applicant respectfully submits that the Examiner has not and cannot meet the standards for making out a prima facie case of obviousness. Instead, Applicants respectfully submit that the Examiner has impermissibly used the Applicant's disclosure for piecing together the prior art and then impermissibly made a conclusory statement regarding obviousness based on impermissible hindsight. The Examiner's proposed modifications impermissibly render the prior art unsatisfactory for its intended purpose. MPEP 2143.01. Likewise, the Examiner's proposed modifications impermissibly change the principle of operation of the references. MPEP 2143.01. The Applicant further respectfully submits that the Examiner has not provided any evidence of success in making the combination, not substantively addressed possible teachings away, and not substantively addressed the unrelatedness of the prior art references. Overall, Applicant respectfully submits that the rejections cannot stand.

**Appl. No.** : **10/712,388**  
**Filed** : **November 12, 2003**

Trummer does not address a hinged entertainment device. Moreover, Trummer does not disclose the straps as claimed in claims 1 and 7. Trummer nowhere discloses that any of its straps can be used or adjusted to encircle at least a portion of seat for use in a car that is legal to drive on streets and highways. Indeed, Trummer merely states that "it is contemplated that they should be adjustable to different body sizes, and this can be accomplished through the use of grommets 1906, as shown in FIG. 20, and/or 'length adjusters' (not shown) that can be integrated into the straps." Thus, the adjustability of Trummer's straps is insufficient to meet the Claim limitations.

Straps 310 and 304 of Trummer are for use in the "backpack arrangement," not in the "triangular" arrangement. Col. 7, ll. 28- 32. The Examiner has not shown how these straps meet the claim limitations. Trummer does not teach or suggest that these straps 310 and 304 are accessible or able to be somehow manipulated to be attached to anything when the bag of Trummer is opened in the "triangular" arrangement. The Examiner has not and cannot show that the straps 310 and 304 are "attached substantially near an edge of the upper apex of the platform" (Claim 1) or "attached substantially near a corner of the platform in the open configuration" (Claim 7). Thus, they cannot be the claimed first and second straps of Claims 1 and 7.

Likewise, strap 202 fails to meet the claim language. Strap 202 of Trummer is a "shoulder strap." Col. 6, ll. 55-58. Neither it, nor strap 1902 or 1904 is attached substantially near the edge or corner as recited in the respective Claims 1 and 7. Instead, it is attached to the underside of the bag near the middle when in a mobile configuration. Neither 1902 nor 1904 are of sufficient length to encircle a port of a car seat. Moreover, these straps do not provide any independent stability or support, but rather require, as shown in Fig. 19, that a person actually hold the computer and bag in addition to the use of the strap 202.

Moreover, strap 202 is merely one strap, while both claims 1 and 7 recited two straps. The Examiner's reference to 1902 or 1904 does not rectify this deficiency. Straps 1902 and 1904 are referred to as "a strap arrangement 1902/1904, as shown in FIG. 19." Col. 12, ll. 4-15. Indeed, strap 1902 is nothing more than strap 202. "Strap 202 could be reconfigured with grommets, as previously described, to form from a

Appl. No. : 10/712,388  
Filed : November 12, 2003

single piece strap 1902." *Id.* Moreover, 1904 merely connects the bag to strap 202/1904. *Id.* It is not an additional strap that is attached to the body.

Merritt does not address a hinged entertainment device. Also, it makes no provision for straps that could be used with a bag that serves as a platform and a container for such a hinged device. Claim 7 recites that the apparatus has a closed and open configuration and a pivoting portion. Merritt has nothing to do with such features.

Kelly lacks the require straps. It is a design patent and has no text. As such, Kelly does not provide any basis for an obviousness analysis.

### CONCLUSION

In view of the foregoing remarks, the Applicants submit that this application is in condition for allowance, and respectfully request the same. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. No acquiescence or estoppel is or should be implied by any arguments; such arguments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter. If, however, some issue remains that the Examiner feels can be addressed by an Examiner's Amendment or if the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to call the undersigned to discuss.

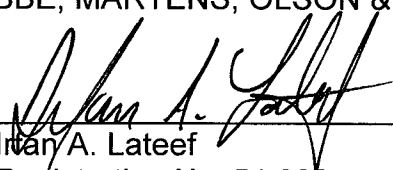
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 15, 2007 \_\_\_\_\_

By: \_\_\_\_\_

  
Ivan A. Lateef  
Registration No. 51,922  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404